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PATENT
P56063

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

YANG-YEON LEE

Serial No.: 09/615,652

Examiner: CHAN S. PARK

Filed: 13 July 2000

Art Unit: 2622

For: METHOD FOR INFORMING A TRANSMITTING MODULE OF ERROR
OCCURRENCE IN A RECEIVING PART OF A FACSIMILE

PETITION UNDER 37 C.F.R. §1.181

Paper No. 6

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions from the incomplete second, non-final Office
action mailed on 22 March 2005 (Paper No. 20050317), as reasons therefore, states that:

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I.D.: REB/kf

STATEMENT OF FACTS

1. On the 21st of April 2004, a first Office action was issued (Paper No. 3). In the PTO-892 form attached to Paper No. 3, four (4) U.S. patent references were cited.
2. On the 22nd of March 2005, a second, non-final Office action was issued on (Paper No. 20050317) in response to the Applicant's Amendment filed on 20 July 2004.
3. A PTO-892 form citing three (3) U.S. patent references was attached to Paper No. 20050317.
4. In paragraph 15 of Paper No. 20050317, the Examiner rejected claims 4 and 5 under 35 U.S.C. §103 for alleged unpatentability over Hwang U.S. Patent No. 5,822,084.
5. The Hwang '084 reference is not set forth in the PTO-892 form attached to Paper No. 20050317.

REMARKS

Hwang '084 is cited in the PTO-892 form attached neither to the first Office action (Paper No. 3) nor to the second Office action (Paper No. 20050317), and no Information Disclosure Statements were filed by Applicant in this application.

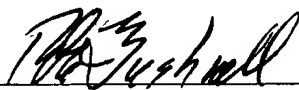
This is to say, the second Office action (No. 20050317) is incomplete under 37 C.F.R. §1.104 (and *Manual of Patent Examining Procedure* §707.05) in that, the claims 09of the application were rejected based upon Hwang '084 which is not made of record in the application.

RELIEF REQUESTED

In view of the above, the Commissioner is respectfully requested to direct the Examiner to:

- A. Issue a Supplemental second, non-final Office action with a supplemental PTO-892 form citing the Hwang '084 reference (the publication number, publication date, and the name of the applicant);
- B. Re-start the period for response to expire not less than three (3) months from the date on which the Supplemental Office action and supplemental PTO-892 form citing the Hwang '084 reference are provided to Applicant by the Examiner; and
- C. Grant such other and further relief as justice may require.

Respectfully submitted,



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